



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of) APPEAL NO. 2003-1616

J. ERIC BERGE ET AL.) FOR: VACUUM PNEUMATIC SYSTEM
) FOR CONVEYANCE OF ICE

Serial No.: 09/364,794)

Appealed from Group Art Unit 3653

Filed: July 30, 1999) Examiner: Jeffrey A. Shapiro

344/F
10/1/03
Jewk

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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GROUP 3600

Attention: Jeffrey A. Shapiro
Examiner; Group Art Unit 3653

Dear Sir:

A Request for Continued Examination of this application is being submitted herewith, as is a request to withdraw the present application from appeal before the Board of Patent Appeals and Interferences, so that the application can be returned to the Examiner for consideration, *inter alia*, of newly identified prior art.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 28, 2003

Karen L. Johnson
(Name)

Karen L. Johnson
(Signature)

August 28, 2003
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Prior to the examiner's taking up this application for the continued examination, it is requested that the amendment presented herein be entered into the application and that the continued examination thereafter be conducted with respect to the new Claims 165-204 submitted herein.

A copy of the request to withdraw this application from appeal before the Board of Patent Appeals and Interferences is enclosed herewith for the Examiner's reference.

[Remarks begin on page 15]